

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
HATTIESBURG DIVISION**

**IN RE WAYNE FARMS LLC  
FLSA LITIGATION**

**Civil Action 2:07-md-1872-KS-MTP  
(ALL CASES)**

**JOINT MOTION FOR SETTLEMENT APPROVAL**

Plaintiffs and Defendant (collectively “the Parties”) move this Court to approve their agreement to settle all member cases on the terms described in this Motion and in their supporting Memorandum.

1. Wayne Farms has agreed to pay \$300,000.00 in compromise of all claims for Plaintiff recovery (wages and liquidated damages) and to pay up to \$1,075,000.00 in compromise of all claims for attorney fees and costs. The Settlement Agreement and all its attachments appear as Exhibit 1 to this Motion.

2. The \$300,000.00 recovery will be distributed among the 1,336 persons now Plaintiffs in the member cases, plus those who file timely consents to join the settlement, as described in the Agreement and in the accompanying Memorandum. The fees and costs will be distributed among five law firms that at one time represented 2,416 people in connection with the member cases.

3. This Agreement, made after two and one-half years of litigation, scores of motions, and detailed review of hundreds of thousands of pages of payroll and personnel records, was reached in private mediation over the course of several weeks. It resolves many bona fide, complex FLSA disputes. The settlement is fair, reasonable, and free of collusion.

WHEREFORE, all parties move the Court to enter an order granting preliminary approval to proceed with this Settlement and, at the conclusion of the entire process, to enter the Final Judgment appearing in Exhibit 1 to this Motion.

Respectfully submitted, this 23<sup>rd</sup> day of April, 2009.

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